

**REMARKS**

This amendment responds to the Office Action dated March 27, 2003 in which the Examiner rejected claims 1-18 under 35 U.S.C. § 103.

As indicated above, claims 14 and 17 have been amended to make explicit what is implicit in the claims. It is respectfully submitted that the amendment is unrelated to a statutory request for patentability and does not narrow the literal scope of the claims.

Claims 1-4 were rejected under 35 U.S.C. § 103 as being unpatentable over *Lamaire et al.* (U.S. Patent No. 6,378,053) in view of *Ichimura* (U.S. Patent No. 6,188,831).

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, it is respectfully requested that the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Lamaire et al.* appears to disclose storage memory in a data processing system and/or a network of computers. (col. 1, lines 9-10) A cache directory entry (CDE) is shown in FIG. 4 and is used by a cache manager 254 for managing a network object cache. (col. 5, lines 43-45) In FIG. 4, the full network object name is stored in the CDE field 410 and the type of object is stored in the CDE field 420. (col. 5, lines 61-63)

Thus, *Lamaire et al.* merely discloses setting up a cache directory entry by storing object name and type of object (i.e., storing data). Nothing in *Lamaire et al.* shows, teaches or suggests setting up rank data in accordance with processing to be executed for an

image as claimed in claims 1 and 4. Rather, *Lamaire et al.* merely discloses setting a cache directory entry by storing object name and type of object.

*Ichimura* appears to disclose a correspondence relationship storing section 5 stores a condition-matching interval containing the point in time when the user-input data was input as an important interval for the input audio data or image data. In other words, even with a condition-matching interval, that condition-matching interval is not recognized as an important interval when the user-input data is not detected in that condition-matching interval. (Col. 16, lines 1-8) The image data and/or audio data stored in the time-series data storing section 4 are compressed when the level of importance is low (such as when a preset time has elapsed since the data was stored), so as to form empty capacity in the memory of the time-series data storing section 4. However, condition-matching intervals in which user-input data has been detected in that interval are deemed to be important intervals and those intervals are not compressed or the compression ratio is reduced so that high quality is maintained. (Col. 18, lines 51-61)

Thus, *Ichimura* merely discloses storing a condition-matching interval containing a point in time when a user-input data was input as an important interval and compressing data based upon the important interval. Nothing in *Ichimura* shows, teaches or suggests setting up rank data in accordance with processing to be executed for an image as claimed in claims 1 and 4. Rather, *Ichimura* merely discloses compressing an image based upon when a user-input data was input as the important interval.

The combination of *Lamaire et al.* and *Ichimura* would merely suggest to set up a cache directory entry by storing object name and type of object as taught by *Lamaire et al.*

and to compress data based upon when a user-input data was input as taught by *Ichimura*. Thus, nothing in the combination of *Lamaire et al.* and *Ichimura* shows, teaches or suggests setting up rank data in accordance with processing to be executed for an image as claimed in claims 1 and 4. Therefore, it is respectfully requested that the Examiner withdraws the rejection to claims 1 and 4 under 35 U.S.C. § 103.

Claims 2-3 depend from claim 1 and recite additional features. It is respectfully submitted that claims 2-3 would not have been obvious within the meaning of 35 U.S.C. § 103 over *Lamaire et al.* and *Ichimura* at least for the reasons as set forth above. Therefore, it is respectfully requested that the Examiner withdraws the rejection to claims 2-3 under 35 U.S.C. § 103.

Claims 5-13 were rejected under 35 U.S.C. § 103 as being unpatentable over *Johnson* (U.S. Patent No. 5,924,092) in view of *Ichimura*.

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, it is respectfully requested that the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Johnson* appears to disclose array data structures implemented in computer and data processing systems, and in particular, the manipulation of data structures in applications such as memory compression. (col. 1, lines 6-9) A sorting algorithm is applied to an array data structure to arrange array elements based on probability of modification. (col. 2, lines 6-8) Typically, most memory accesses are made to cached memory. Whenever a memory access is to a location not stored in the cache, setup table 48 is accessed to fetch the

compressed data from partition 44, decompress the data, and store it in the cache. If the cache is full, however, "old" data must first be removed from the cache to make room for the recently accessed data. The old data is typically processed by a compression engine to recompress the data with a higher compression ratio and store it back in partition 44. (col. 5, lines 36-45)

Thus, *Johnson* merely discloses recompressing "old" data. Nothing in *Johnson* shows, teaches or suggests changing a compression rate based upon output from a timer as claimed in claims 5 and 8. Rather, *Johnson* merely discloses recompressing old data.

Additionally, *Johnson* merely discloses that "old" data is recompress and stored back in partition 44. Nothing in *Johnson* shows, teaches or suggests determining an evaluation value in accordance with processing to be executed for an image and setting up a lower evaluation value based upon an output from a detector which detects commands based upon a timer as claimed in claims 10 and 12. Rather, *Johnson* merely discloses recompressing old data and storing it in a partition when a cache is full.

As indicated above, *Ichimura* merely discloses compressing data based upon a level of importance where the important interval is when user-input data was input. Nothing in *Ichimura* shows, teaches or suggests changing a compression rate based on output from a timer or changing a compression rate based upon time as claimed in claims 5 and 8. Rather, *Ichimura* merely discloses compressing data based upon when a user-input data was input as an important interval.

Additionally, *Ichimura* does not show, teach or suggest setting up an evaluation value based upon processing to be executed for an image and lowering the evaluation value

when no command is given for the image for a predetermined time as claimed in claims 10 and 12. Rather, as discussed above, *Ichimura* merely discloses compressing data based upon when a user-input data was input as an important interval.

The combination of *Johnson* and *Ichimura* would merely suggest recompressing "old" data and storing it back in partition 44 as taught by *Johnson* and determining the amount of compression based upon when a user-input data was input as an important interval as taught by *Ichimura*. Thus, nothing in the combination of *Johnson* and *Ichimura* shows, teaches or suggests a) changing a compression rate based upon a timer as claimed in claim 5, b) changing a compression rate based upon time as claimed in claim 8 or c) setting up an evaluation value based upon processing to be executed for an image and setting a lower evaluation value when no command is given for the image for a predetermined time as claimed in claims 10 and 12. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 5, 8, 10 and 12 under 35 U.S.C. § 103.

Claims 6-7, 9, 11 and 13 depend from claims 5, 8, 10 and 12 and recite additional features. It is respectfully submitted that claims 6-7, 9, 11 and 13 would not have been obvious within the meaning of 35 U.S.C. § 103 over *Johnson* and *Ichimura* at least for the reasons as set forth above. Therefore, it is respectfully requested that the Examiner withdraws the rejection to claims 6-7, 9, 11 and 13 under 35 U.S.C. § 103.

Claims 14-18 were rejected under 35 U.S.C. § 103 as being obvious over *Takahashi et al.* (U.S. Patent No. 6,348,974) in view of *Parulski et al.* (U.S. Patent No. 5,241,659).

*Takahashi et al.* appears to disclose a digital copying machine has come to be widely used as an image forming apparatus. This image forming apparatus has an

electronic sort copying function that an input image read by a scanner, which is an image reading device, is compressed and stored as image information in a page memory provided with a file area partitioned in pages each as a unit and thereafter, this image information is expanded and printed (formation of a visual image on a medium) and a predetermined number of copies of each document are produced, and a group or a stack function that the image information thus expanded is printed on the predetermined number of sheets for each page of the document. (col. 1, lines 11-23) The status indicator 117 indicates a status of the copying machine by displays of various kinds of pictures and characters while flashing. (col. 12, lines 15-18) At the same time when printing of a predetermined mth copy of the original is completed in step S125 in such a manner, the image information of all the pages of the original is accessed and deleted at one time. (col. 21, lines 30-33)

Thus, *Takahashi et al.* merely discloses a status indicator 117. Nothing in *Takahashi et al.* shows, teaches or suggests recording ID data of a second recording medium on a first recording medium to indicate that an image is transferred as claimed in claims 14 and 17. Rather, *Takahashi et al.* merely discloses a status indicator indicating the status of the copying machine.

*Parulski et al.* appears to disclose the limited ability of an internal memory in a CD player to store user-generated image parameter data is augmented by a storage medium, such as an electrically programmable read only memory module, configured to be removably interfaced with the CD player's microcontroller for storing image parameter data that has been programmed by the user. The module can be then removed from the playback device and inserted into that or another playback device for controlling its

operation. The customized image parameter data may include one or more image display parameters including contrast, image magnification, color balance, saturation, border type and border location. It may also store information from which a photofinisher may produce hard copy prints of selected images or an entirely new album disc of user selections taken from multiple discs. (Abstract) The disc ID pointer entries, such as disc #1 pointer entry 102, are 6 Bytes in length and include 2 values, a 4 Byte disc ID number, such as disc #1 ID 103, followed by a 2 Byte address value, such as disc #1 address 104. Address 104 is the address within EEPROM address space 100 at which the data for the disc having an ID number matching the value stored in location 103 is stored. In other words, the address 104 "points" (as depicted by line 204) to the EEPROM memory location at which the control data for images with disc #1 ID 103 are stored. Similarly, address 108 is the address within EEPROM address space 100 at which the data for the disc #N having an ID number matching the value stored in location 107 is stored. The pointer table 120 contains disc ID pointer entries for all discs which have been previously inserted into playback device 20 and programmed. (Col. 9, lines 5-21)

Thus, *Parulski et al.* merely discloses a pointer table 120 containing disc ID pointer entries. Nothing in *Parulski et al.* shows, teaches or suggests a first and second recording mediums which store images as claimed in claims 14 and 17. Rather *Parulski et al.* merely discloses a pointer table 120.

Additionally, *Parulski et al.* merely discloses a pointer table 120 which contains disc ID pointer entries for all discs which have been previously inserted into a playback device 20. Nothing in *Parulski et al.* shows, teaches or suggests that the ID data indicates that the

image recorded in a first recording medium is transferred into a second recording medium as claimed in claims 14 and 17. Rather, the disc ID pointers of *Parulski et al.* merely indicate customized image parameter data including contrast, image magnification, color balance, saturation, border type and border location of discs that have been inserted into a playback device 20 (i.e. the pointer table 120 stores disc ID data and is not for storage of an image to be transferred).

The combination of *Takahashi et al.* and *Parulski et al.* would merely suggest having a status indicator 117 as taught by *Takahashi et al.* and to include a pointer table containing disc ID pointer entries indicating contrast, image magnification, etc. as taught by *Parulski et al.* Thus, nothing in the combination of *Takahashi et al.* and *Parulski et al.* shows, teaches or suggests recording ID data of a second recording medium on a first recording medium to indicate that the image recorded in a first recording medium is transferred into a second recording medium as claimed in claims 14 and 17. Therefore, it is respectfully requested that the Examiner withdraws the rejection to claims 14 and 17 under 35 U.S.C. § 103.

Claims 13-16 and 18 depend from claims 14 and 17 and recite additional features. It is respectfully submitted that claims 13-16 and 18 would not have been obvious within the meaning of 35 U.S.C. §103 over *Takahashi et al.* and *Parulski et al.* at least for the reasons as set forth above. Therefore, it is respectfully requested that the Examiner withdraws the rejection to claims 13-16 and 18 under 35 U.S.C. § 103.

Thus, it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.



Should the Examiner find that the application is not now in condition for allowance, it is respectfully requested that the Examiner enters this Response for purposes of appeal.

If for any reason the Examiner feels that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, applicants' respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to our Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 02-4800.

Respectfully submitted,

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**Marked-up Claims 14 and 17**

14. (Twice Amended) An image processing system for processing images which are recorded in a recording medium, comprising:

a transfer circuit which transfers images recorded in a first recording medium, into a second recording medium differing from the first recording medium;

a recorder which records ID data of said second recording medium on said first recording medium, said ID data indicating that the image recorded in said first recording medium is transferred into said second recording medium;

a deletion directional member which directs to delete the image recorded in said first recording medium;

a detector which detects whether the image has already been transferred into said second recording medium based on said data when said deletion directional member directs to delete the image; and,

an indicator which indicates the detecting result output from said detector.

17. (Amended) An image processing method for processing recorded images, comprising:

a step of transferring image recorded in a first recording medium, into a second recording medium differing from the first recording medium;

a step of recording ID data of said second recording medium on said first recording medium, said ID data indicating that the image is transferred;

a step of directing to delete the image;

**Marked-up Claims 14 and 17**

a step of determining whether the image has already been transferred into said second recording medium based on said data when the deletion of the image is directed; and,

a step of indicating the result.